

REMARKS

Claims 1-30 are pending in the current application. Claims 1, 5, 10, 11, 15 and 24 are independent claims.

Allowable Subject Matter

Applicant acknowledges the allowance of claims 1-4, 6-9, 11-14 and 16-23, including independent claims 1 and 11. The Examiner has further stated that claims 26 and 28-30 would be allowable if rewritten into independent form. However, Applicant submits that in view of the remarks below, claims 26 and 28-30 are already in allowable form.

Rejection Under 35 U.S.C. §102

Claims 5, 15, 24, 25 and 27 stand rejected under 35 U.S.C. 102(e) as allegedly being unpatentable by Barany. Applicant respectfully traverses this art grounds of rejection.

Applicant submits that Barany fails to teach or suggest a communication method comprising, at least: "transmitting a first information on a single frequency carrier", and "transmitting a second information on said same single frequency carrier", and "transmitting a third information on said same single frequency carrier", as recited in independent claim 5 and as somewhat similarly recited in claims 15 and 24.

Barany discloses a method of locating control signals in a mobile communications system. It is clear from a cursory examination of Barany that Barany does not disclose or suggest transmitting control signals on a single frequency carrier. Barany states "in one embodiment, the base station 18 and mobile units 20 in each cell 14 are capable of communicating with two sets of carriers--a first set of carriers 26 for communicating circuit-switched traffic (e.g., speech data, short messaging services, and other circuit-switched

data) and associated control signals; and a second set of carriers 28 for communicating packet-switched data traffic and associated control signals" (column 3, lines 42-49)(Emphasis added). Barany further states "referring further to FIG. 2, according to one embodiment, the base stations 18 include transceivers 25 that send and receive **30-kHz (kilohertz) carriers** (26) to carry circuit-switched traffic and associated control signals, e.g., according to the IS-136 protocol. In addition, packet data traffic and associated control signals are carried by **200-kHz carriers (28)** that may be provided by transceivers 27 in each base station 18 in the same cell as **the 30-kHz carriers**" (Col. 4, Lines 1-8)(Emphasis added). Therefore, Barany discloses transmitting control signals with **multiple** frequency carriers, and not a **single** frequency carrier, as recited in claims 5, 15 and 24. Withdrawal of the rejection is kindly requested.

Claims 25-30, dependent on independent claim 24, are allowable over Barany at least for the reasons given above with respect to independent claim 24. Applicant respectfully requests that the Examiner withdraw this art grounds of rejection.

Claim 10 stands rejected under 35 U.S.C. 102(e) as allegedly being unpatentable over Marks. Applicant respectfully traverses this art grounds of rejection.

Marks discloses a network interface device and method and article of manufacture for providing high bit rate access over a robbed bit. Marks is silent on the subject of transmitting information on a single frequency carrier. Therefore, Marks cannot disclose or suggest "transmitting a second information on **said same single frequency carrier**" as recited in independent claim 10 (Emphasis added). Applicant respectfully requests that the Examiner withdraw this art grounds of rejection.

CONCLUSION

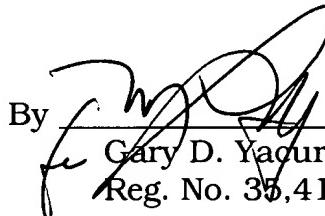
Reconsideration of the rejections and allowance of claims 1-30 is earnestly solicited.

In the event that any matters remain at issue in the application, the Examiner is invited to contact the undersigned at (703) 668-8000 in the Northern Virginia area, for the purpose of a telephonic interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, P.L.C.

By  45,274
Gary D. Yacura
Reg. No. 35,416

P.O. Box 8910
Reston, VA 20195
(703) 668-8000

GDY/MJL/DAP:ybm